IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.2865 OF 2006

IN

WRIT PETITION NO.2873 OF 2002

Shyamlal Hariram : Petitioner

versus

The State of Maharashtra

and ors. : Respondents.

Mr.Vipul Shukla for the petitioner.

Mr.R.M.Patne, AGP, for the State.

CORAM : D.G.DESHPANDE

SMT.R.S.DALVI, JJ.

DATED : DECEMBER 19, 2006.

P.C.

1. The Court has directed service of notice upon Respondent Nos.4 and 5. Advocate for the petitioner states that before admission, the notices were given. Those notices were by

publication through news papers viz. Free Press Journal and Sakaal. That was given on 4.10.2006. The advocate for the petitioner, therefore, submits that requiring the petitioner to give such notice again will entail heavy expenditure.

2. It is true that the matter has been admitted and expedited. In any case, the notices to the respondents that the matter is taken up for final hearing are necessary. In stead of publication through news papers, We permit the petitioner to give notice to the Respondents by affixing the copy of the notice at their houses i.e. at the last known address and also by RPAD or Courier. Petitioner to file an affidavit. Notice to be given to the respondents for final hearing and disposal of the matter on 6th February 2007. Civil Application is disposed off.

[D.G.DESHPANDE,J]

[SMT.R.S.DALVI, J]